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**TITLE 65 STATE LOTTERY COMMISSION**

**Emergency Rule**  
LSA Document #13-88(E)

**DIGEST**

Amends [65 IAC 3-4-5](#) concerning retailer compensation. Effective March 7, 2013.

**[65 IAC 3-4-5](#)**

SECTION 1. [65 IAC 3-4-5](#) IS AMENDED TO READ AS FOLLOWS:

**[65 IAC 3-4-5](#) Compensation**

**Authority:** [IC 4-30-3-7](#); [IC 4-30-3-9](#)

**Affected:** [IC 4-30-9](#)

Sec. 5. (a) A retailer shall be entitled to compensation of ~~five and one-half percent (5.5%)~~ **six percent (6%)** of the valid lottery ticket price of each scratch-off ticket or pull-tab ticket sold by such retailer, subject to deduction for returns as may be allowed under this article. A retailer shall be entitled to compensation of six percent (6%) of the valid draw ticket price of each draw ticket sold by such retailer, subject to deduction for cancellations as may be allowed under this article.

(b) In addition to the compensation under subsection (a), the commission may, from time to time, establish retailer incentive programs whereby retailers are entitled to bonus payments by satisfying designated criteria which may include, but not be limited to, volume of lottery product sales, number of lottery tickets redeemed, or the sale of winning lottery tickets.

(c) Any compensation or incentive payment made under this section may be supplemented or reduced in exchange for the provision of other supplemental services provided by the commission or the retailer as provided in a retailer's contract with the commission.

(d) No retailer or employee of a retailer shall request, demand, or accept gratuities or similar compensation in exchange for the performance of duties authorized pursuant to the retailer's contract.

*(State Lottery Commission; [65 IAC 3-4-5](#); emergency rule filed Sep 5, 1989, 3:20 p.m.: 13 IR 103; emergency rule filed Jan 29, 1992, 12:00 p.m.: 15 IR 1040; emergency rule filed Jul 29, 1992, 10:00 a.m.: 15 IR 2599; readopted filed Nov 30, 2001, 11:02 a.m.: 25 IR 1268; emergency rule filed Aug 23, 2002, 1:27 p.m.: 26 IR 42, eff Aug 29, 2002; readopted filed Nov 14, 2007, 3:02 p.m.: [20071212-IR-065070656RFA](#); emergency rule filed Dec 18, 2009, 10:05 a.m.: [20091230-IR-065090989ERA](#); emergency rule filed Jul 29, 2010, 3:51 p.m.: [20100804-IR-065100492ERA](#); emergency rule filed Mar 7, 2013, 10:59 a.m.: [20130313-IR-065130088ERA](#))*

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Filed with Publisher: March 7, 2013, 10:59 a.m.

Posted: 03/13/2013 by Legislative Services Agency

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